



General Assembly

February Session, 2012

Amendment

LCO No. 5565

HB0515605565HDO

Offered by:

REP. RITTER M., 1st Dist.
REP. GONZALEZ, 3rd Dist.
REP. ROLDAN, 4th Dist.
REP. KIRKLEY-BEY, 5th Dist.

REP. ROBLES, 6th Dist.
REP. MCCRORY, 7th Dist.
SEN. FONFARA, 1st Dist.
SEN. COLEMAN, 2nd Dist.

To: House Bill No. 5156

File No. 14

Cal. No. 58

**"AN ACT REQUIRING A STUDY OF THE WAYS IN WHICH
MUNICIPALITIES MAY PROVIDE PROPERTY TAX RELIEF."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 12-62r of the 2012 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage and applicable to assessment years commencing on*
6 *and after October 1, 2011*):

7 (a) For the purposes of this section:

8 (1) "Apartment property" means a building containing four or more
9 dwelling units used for human habitation, the parcel of land on which
10 such building is situated, and any accessory buildings or other
11 improvements located on such parcel;

12 (2) "Residential property" means (A) a building containing three or
13 fewer dwelling units used for human habitation, the parcel of land on
14 which such building is situated, and any accessory buildings or other
15 improvements located on such parcel, (B) common interest
16 communities, as defined in section 47-202, and (C) condominiums, as
17 defined in section 47-68a, that are used for residential purposes;

18 (3) "Base year" means the assessment year commencing October 1,
19 2010; and

20 (4) "Adjusted tax levy" means the total amount of taxes raised by
21 taxation in a fiscal year by a municipality.

22 [(b) Notwithstanding any provision of the general statutes or any
23 special act, municipal charter or any home rule ordinance, any
24 municipality in which the provisions of section 12-62n were effective
25 for the assessment year commencing October 1, 2010, shall make
26 annual adjustments to the assessment rate charged to apartment and
27 residential property in accordance with the provisions of this section,
28 but in no event shall the assessment rate for any class of property be in
29 excess of seventy per cent.]

30 [(c)] (b) For [the] assessment [year] years commencing on and after
31 October 1, 2011, in any municipality that adopts the property tax
32 system under this section, [apartment property shall be assessed at a
33 rate of fifty per cent. For assessment years commencing on and after
34 October 1, 2012, the assessor shall determine a rate of assessment for
35 apartment property that will have the effect of phasing in
36 proportionate increases in the rate so that, by the assessment year
37 commencing October 1, 2015, the assessment rate for apartment
38 property shall be seventy per cent] the legislative body of such
39 municipality shall determine the rate of assessment for apartment
40 property, provided such rate of assessment shall not be less than fifty
41 per cent or more than seventy per cent.

42 [(d) In any municipality that adopts the property tax system under
43 this section, for the assessment year commencing October 1, 2011, and

44 only for said assessment year, the assessor shall determine a rate of
45 assessment for residential property that will have the effect of
46 increasing the average property tax for residential property as a result
47 of revaluation by three and one-half per cent over the property tax for
48 such property class in the base year, but in no event shall the
49 assessment rate be less than twenty-three per cent.] For assessment
50 years commencing on and after October 1, 2011, the assessor shall
51 [then calculate an adjustment to] set the rate of assessment for
52 residential property at twenty-nine and two-tenths per cent. The
53 assessor shall only adjust the rate of assessment for residential
54 property in accordance with subsection [(e)] (c) of this section.

55 [(e) Not] (c) If the chief elected official of the municipality approves
56 the adoption of the provisions of this subsection, then not later than
57 January thirty-first or the completion of the grand list, whichever is
58 later, the assessor shall annually calculate the difference in the adjusted
59 tax levy by such municipality in the current fiscal year and the prior
60 fiscal year. The assessor shall then adjust the adjusted tax levy for the
61 current fiscal year [in accordance with any change in] by multiplying
62 the adjusted tax levy by the consumer price index for all urban
63 consumers in the northeast region in the preceding fiscal year and
64 subtracting the product from the current year levy. If, after such
65 [adjustment] calculation, (1) the inflation adjusted tax levy in the
66 current fiscal year exceeds the adjusted tax levy in the prior fiscal year
67 by more than one hundred per cent of the rate of inflation, as
68 determined in accordance with such consumer price index, the
69 assessor, in his or her calculation of the assessment ratios for the next
70 grand list, shall increase the rate of assessment for residential
71 properties from the prior grand list year by five [per cent] points; (2)
72 the inflation adjusted tax levy in the current fiscal year exceeds the
73 adjusted tax levy in the prior fiscal year by more than fifty per cent,
74 but not more than one hundred per cent, of such rate of inflation, the
75 assessor shall increase such rate of assessment by three and one-half
76 [per cent] points; (3) the inflation adjusted tax levy in the current fiscal
77 year exceeds the adjusted tax levy in the prior fiscal year by not more

78 than fifty per cent of such rate of inflation, the assessor shall increase
79 such rate of assessment by two and one-half [per cent] points; (4) the
80 inflation adjusted tax levy in the current fiscal year is equal to the
81 adjusted tax levy in the prior fiscal year, or is less than one-half per
82 cent less than the adjusted tax levy in the prior fiscal year, the assessor
83 shall increase such rate of assessment by one and one-half [per cent]
84 points; and (5) the inflation adjusted tax levy in the current fiscal year
85 is less than the adjusted tax levy in the prior fiscal year by at least one-
86 half per cent, the assessor shall make no change in such rate of
87 assessment.

88 [(f)] (d) Not later than June fifteenth in any year in which the
89 [adjusted tax levy in the current fiscal year increases by] legislative
90 body of the municipality adopts a budget for the following fiscal year
91 that establishes a projected increase in the adjusted tax levy of more
92 than [two and six-tenths per cent] three per cent over the adjusted tax
93 levy in the [prior] current fiscal year, [one] three per cent of the total
94 number of electors of such municipality may petition in writing for a
95 referendum on the budget establishing such increase. Any such
96 referendum shall be held not more than ten days after receipt of such
97 petition by the town clerk and shall be conducted in accordance with
98 the provisions of chapter 90. Such budget shall not become effective
99 unless a majority of the electors voting in such referendum vote in
100 favor thereof. Only one referendum may be held, and, if the vote is
101 against the budget, [such municipality shall so adjust the budget as to
102 limit any increase to be equal to or less than two and six-tenths per
103 cent] the budget as adopted in the preceding fiscal year, as adjusted by
104 the amount necessary to meet legally and contractually required
105 increases, as certified by the finance director, shall be deemed to be the
106 budget of such municipality for the ensuing fiscal year, and
107 expenditures shall be made in accordance therewith.

108 (e) Notwithstanding the provisions of section 12-55 regarding the
109 date of publication of the grand list, the assessor or board of assessors
110 in any municipality that adopts the property tax system under this
111 section shall publish the grand list for such municipality for the

112 assessment year commencing October 1, 2011, not later than fifteen
113 days after the effective date of this section. In each case of any increase
114 in valuation of a property above the valuation of such property in the
115 last-preceding grand list, the assessor or board of assessors shall mail a
116 written notice of assessment increase to the last-known address of the
117 owner of the property the valuation of which has increased, as
118 provided in subsection (c) of section 12-55.

119 (f) (1) Except as provided in subdivision (2) of this subsection,
120 notwithstanding the provisions of section 12-112, for the assessment
121 year commencing October 1, 2011, any person claiming to be aggrieved
122 by the actions of the assessor or board of assessors pursuant to this
123 section may proceed as provided in section 12-111, provided (A) such
124 appeal shall be filed, in writing, on or before the twentieth calendar
125 day after the assessor or board of assessors certifies the grand list for
126 such municipality, provided such person may only file one such
127 appeal regarding the claimed aggrievement for the assessment year
128 commencing October 1, 2011, (B) the board of assessment appeals shall
129 notify each aggrieved person who filed a written appeal in the proper
130 form and in a timely manner, not later than September 1, 2012, of the
131 date, time and place of the appeal hearing, and (C) such board shall
132 notify such person not later than September 1, 2012, that such board
133 has elected not to conduct an appeal hearing, in which case the
134 appellant may appeal directly to the Superior Court pursuant to
135 section 12-117a.

136 (2) Notwithstanding the provisions of subdivision (1) of this
137 subsection, any municipality that adopts the property tax system
138 under this section shall follow all provisions of chapter 203 with regard
139 to the claim of any person who, prior to the effective date of this
140 section, brought an appeal to the board of assessment appeals in
141 compliance with the provisions of sections 12-111 and 12-112. Such
142 person shall retain the right to appeal to the Superior Court, as
143 provided in section 12-117a.

144 (g) Not later than January 30, 2013, the Municipal Finance Advisory

145 Commission shall submit a report to the General Assembly in
146 accordance with the provisions of section 11-4a, limited to an
147 examination of such municipality's tax system, including a
148 recommendation as to whether a homestead exemption program may
149 benefit such municipality.

150 (h) If the provisions of this section in effect on the effective date of
151 this act have not been amended by October 1, 2013, the municipality
152 that adopts the property tax system described in this section may
153 utilize such property tax system for any assessment year commencing
154 on and after October 1, 2013."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to assessment years commencing on and after October 1, 2011</i>	12-62r